



## Customer Service Improvements

### Allowing Payment of Fees by Credit Card

The PVP Office accepted payment of a fee by credit card for the first time on April 1, 2005. Users may use one of the four major credit cards to pay any PVP fee for service. A form has been drafted for use in requesting payment by credit card. (The form must be approved by USDA before it can be posted to our website.) To request a copy of the form or to ask for more information about this payment option, please contact us at [PVPOmail@usda.gov](mailto:PVPOmail@usda.gov).

### 20 Percent Fee Increase

On September 16, 2005, a Federal Register notice was published that established a 20% fee increase for the general fee structure listed in Section 97.175 of the Regulations. This does not affect the supplemental fees established in May 2005.

The total fee due when an application is filed will increase to \$4382. The fee to issue a certificate will increase to \$768. This makes the total cost of a certificate equal to \$5150. This covers the full term of protection – no maintenance fees will be charged.

This fee increase will be effective on Monday, October 17, 2005. Any applications or requests for service **received on or after** October 17, 2005 will need to pay the higher fees.

### New Forms and Publications

PVP Office is preparing forms related to the supplemental fees, 20% fee increase, direct deposit of seeds, and credit card payment option. The new forms will be described in a future Federal Register notice.

ST-470 Application form – revised October 2005  
ST-471 Credit Card Payment – new October 2005  
ST-472 Seed Deposit form – new October 2005  
ST-473 Recordation form – new October 2005

We also will revise and print copies of the PVP Act and its Regulations and Rules of Practice. The last version of this publication was printed in March 2001.

The forms and revised Act/Regulation booklet will be posted to the PVP website as soon as possible after they are approved. To request that they be emailed to you, please send your request to [PVPOmail@usda.gov](mailto:PVPOmail@usda.gov) and specify the publication(s) you want to receive.

### PVP Supplemental Fees

A May 20, 2005 Federal Register notice was published that established five new fees for services in the PVP Office. The one that will affect most applicants will be an additional \$250 fee for scanning of issued certificates. This fee will be added to the certificate issuance fee, effectively increasing the cost of getting a certificate by 6%.

The new fees went into effect on June 20, 2005.

### Seed Related News

In the Federal Register notice dated September 16, 2005, we also established regulations which allow applicants to **submit their voucher seed samples directly to the seed storage facility**. This will prevent potential degradation of the seed sample by ensuring that seeds are stored under optimal conditions as quickly as possible.

One applicant has tested the procedures to help establish the protocols for deposit of seeds. The procedure is:

1. The applicant submits paperwork and fees to file a new application, including an Exhibit F which states that the applicant will deposit and maintain a viable seed sample. (This form, designed for tuber deposits, is already posted at <http://www.ams.usda.gov/science/PVPO/Forms/ST470F.pdf> )
2. The PVP staff files the application and assigns a PV number and filing date. (Having the PV number will assure that the seeds are **not** put in the general collection and are **not** allowed to be distributed mistakenly.)
3. The applicant is sent a letter confirming filing of the application, and giving instructions and the form for deposit of the seed sample.
4. Once the seed sample is received at the depository, PVP is notified that the seeds have arrived. For some crops, 15-25 seeds from the sample will be sent to PVP for use during examination of the application.

Procedures may be refined to improve efficiency and to accommodate special circumstances. After experiencing the process, if you have suggestions, please email [PVPOMail@usda.gov](mailto:PVPOMail@usda.gov).

For more news about PVP, go to our webpage at <http://www.ams.usda.gov/science/PVPO/PVPIndex.htm>



## Training

### Training for Applicants

As a service to applicants, the PVP Office will provide a one-day training class to help them prepare better applications and to understand what PVP examiners look for during the examination process. The class covers the history of intellectual property rights for plants, specifics about the parts of a PVP application, and what is needed to pass examination and quality assurance standards.

Four employees of Frito Lay attended a training class on April 14, 2005 at the PVP Office in Beltsville, Maryland. The "students" were pleased with the class and felt that the time flew by. They were able to have one-on-one discussions with three PVP examiners and the Commissioner.

This was the first time that training was provided to a group of PVP applicants within the United States. Previous training was provided to foreigners, especially to government officials and examiners from other Plant Breeders Rights offices.

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### Training (continued)

The PVP Office is willing to arrange similar training courses for other groups of applicants. The course is designed for breeders who are focused on a few crops. The cost of training is based on \$107 per hour per examiner and the actual cost of materials. We can accommodate about six people in the classroom in Beltsville. We can also arrange to travel to your site, but you also must cover the full costs of our travel. Please contact [PVPOmail@usda.gov](mailto:PVPOmail@usda.gov) to begin the process.

### Where to Find Us

PVP staff plans to attend the following meetings and conferences in the next few months.

Oct. 6	PVP Advisory Board, Beltsville, MD
Oct. 22-27	UPOV meeting, Geneva, Switzerland
Dec. 7-9	ASTA Corn & Soybean Conf., Chicago, IL
Jan. 28-31	ASTA Flower & Veg., Amelia Island, FL

## Staff Changes

### Welcome to Lidia Carrera

Dr. Lidia M. Carrera was hired as a full Examiner in the PVP Office starting September 19, 2005. She had a post-doctoral position in the USDA Agricultural Research Service, where she did work on sustainable agricultural production of potatoes and tomatoes.

Dr. Carrera will examine applications for potato and tomato varieties to decide if they are new, distinct, uniform, and stable.

### Beretha Thornton Promoted

Ms. Beretha Thornton has been promoted from Associate Examiner to full Examiner, effective on August 21, 2005. Ms. Thornton has been with the PVP Office since October 1999 and, while assisting various examiners, has demonstrated her abilities in all areas involved with the tasks of a Plant Variety Examiner.

Ms. Thornton will examine applications for some amenity grass varieties, such as ryegrass and fescue, to decide if they are new, distinct, uniform, and stable.



## Productivity

### 1. Incoming Applications as of 9/30/05:

	FY2003	FY2004	FY2005
Agricultural Crops	278	252	258
Ornamental Crops	3	5	12
Vegetable Crops	56	54	58
Tuber Crops	13	18	22
<b>Total</b>	<b>350</b>	<b>329</b>	<b>350</b>

### 2. Applications Being Processed as of 9/30/05:

The following table includes applications which have not been permanently disposed of (see next column for a definition of "disposed of").

Agricultural Crops	588
Ornamental Crops	20
Vegetable Crops	175
Tuber Crops	94
<b>Total</b>	<b>877</b>

### 3. Applications Disposed of:

The following table includes certificates issued; applications abandoned by the applicant; applications withdrawn by the applicant; applications denied protection; and applications ineligible for protection. The final permanent status of each disposition occurred during the stated fiscal year.

Applications that are within a legal protest period that could overturn their status are not reported here. They are reported in table 2.

	FY2003	FY2004	FY2005
Agricultural Crops	344	407	198
Ornamental Crops	6	7	2
Vegetable Crops	88	23	47
Tuber Crops	1	7	3
<b>Total</b>	<b>439</b>	<b>444</b>	<b>250</b>

FY2003 = Oct. 1, 2002 – Sept. 30, 2003

FY2004 = Oct. 1, 2003 – Sept. 30, 2004

FY2005 = Oct. 1, 2004 – Sept. 30, 2005

## Major Crops Handled by Each Examiner

#### Alan Atchley

Bean  
Clover  
Cotton  
Pea  
Tobacco  
Watermelon  
forage grasses

#### Lidia Carrera

Tomato  
Potato  
tubers

#### Robin Davis

Bentgrass  
Bermudagrass  
Lettuce  
Peanut  
Rice

#### Mark Hermeling

Barley  
Oat  
Triticale  
Wheat  
Wheatgrass

#### Janice Strachan

Corn  
Muskmelon  
Pepper  
Pumpkin  
Squash  
Vinca  
ornamental flowers

#### Jeff Strachan

Alfalfa  
Canola/Rapeseed  
Ryegrass  
Soybean

#### Beretha Thornton

Bluegrass  
Fescue  
Onion  
amenity grasses  
oil crops  
fibers

The complete list of crops assigned to each examiner can be found on our webpage. Contact information for staff members is also listed on the webpage: <http://www.ams.usda.gov/science/PVPO/PVPindex.htm>